IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

Crl.Rev.Pet.No. 548 of 2007()

REVN. PETITIONER: APPELLANT/ACCUSED

SUBRAMANIYAN, P.C.1475,
POLICE STATION, PATHANAMTHITTA.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT AND STATE
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1. SHINE VARGHESE, S/O.VARGHESE,
KOIPPURATHU HOUSE, PATHANAMTHITTA.

2. THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 548 OF 2007

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Dated this the 7th day of February 2007

O R D E R

The revision petitioner is the accused in S.T. No. 429/2003 in the file of Chief Judicial Magistrate Court, Pathanamthitta with respect to the offence under section 138 of the Negotiable Instruments Act. He stands convicted under section 138 of the Act. The Sessions Court has modified the sentence, i.e., to undergo simple imprisonment till the rising of the court and to pay a fine of Rs. 55,000/- and in default to undergo simple imprisonment for 3 months and out of the fine amount an amount of Rs. 53,000/- will be paid to the complainant as compensation under section 357 (1) Cr.P.C.

2. At the time of hearing, the counsel for the revision petitioner has sought for 6 months further time to pay the amount and withdraw his contentions. In the circumstances, revision petition is disposed of confirming the conviction and sentence and permitting the petitioner to remit the fine amount

within 6 months from today onwards. He shall appear before the court below to receive sentence on 08.08.2007.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

RV